

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15674 of George Galich, pursuant to 11 DCMR 3108.1, for a special exception under Sub-section 2003.1 to change a nonconforming use from straightening and replating of auto bumpers and storage of same to auto body repair, auto repair, and straightening and replating of auto bumpers and storage of auto parts on the first through third floors in an R-5-B District at the rear of 2119 14th Street, N.W. (Square 235, Lots 815, 816 and 818).

HEARING DATE: July 8, 1992  
DECISION DATE: July 8, 1992 (Bench Decision)

SUMMARY ORDER

The Board provided proper and timely notice of public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 1B and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 1B. ANC 1B, which is automatically a party to the application, submitted written issues and concerns in support of the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a special exception pursuant to 11 DCMR 2003.1. No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party in opposition to this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, and that the requested relief can be granted as in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. It is therefore **ORDERED** that the application is **GRANTED SUBJECT** to the following **CONDITIONS**:

1. Approval shall be for a period of **TEN (10) YEARS**.
2. The hours of operation shall be between 7:00 a.m. and 5:00 p.m. Monday through Friday with no weekend operations other than maintenance and cleaning. No auto

body repair work or auto repair work shall be performed either before or after these hours of operation or on weekends.

3. There shall be no outdoor storage of materials nor any outdoor processing, fabricating or repairs.
4. Auto body repair and auto repair work shall be limited to not more than ten vehicles per week.
5. All windows facing W Street, N.W., on the first floor of the north building on Lot 815 shall be completely bricked up using cinder blocks.
6. The applicant shall take all necessary steps for the environmental containment of dust, fumes and particles. All filters shall be inspected regularly by the applicant and repaired and/or replaced as soon as and whenever needed. The filters shall comply with applicable District of Columbia Department of Consumer and Regulatory Affairs standards. The applicant shall maintain a closed trash dumpster for the facility indoors, except for purposes of unloading by a commercial trash collector. The applicant shall comply with the District of Columbia Noise Control Act.
7. The applicant shall keep the courtyard, Lot 818, and the north/south alley nearest 14th Street, N.W., clean and free of trash.
8. Trash shall be collected by a commercial trash company at least once a week. Bulk trash shall be collected from the facility as needed. Deliveries and pick-up of bumpers shall generally be limited to three delivery vehicles operating twice a day.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

VOTE: 3-0 (Tersh Boasberg, Paula L. Jewell, and Carrie L. Thornhil to grant; Angel F. Clarens and Sheri M. Pruitt not present, not voting).

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BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
MADELIENE H. ROBINSON  
Acting Director

FINAL DATE OF ORDER:

JUL 24 1992

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

15674Order/bhs

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 15674


As Acting Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on JUL 24 1992 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Anne Meister  
Helm & Meister  
5915 16th Street, N.W.  
Washington, D.C. 20011

George Galich  
7512 Radnon Road  
Bethesda, Maryland 20817

J. Tony Jones  
1440 W Street, N.W., #204  
Washington, D.C. 20009

Mary Treadwell, Chairperson  
Advisory Neighborhood Commission 1B  
519 Florida Avenue, N.W.  
Washington, D.C. 20001

  
MADELIENE H. ROBINSON  
Acting Director

DATE: JUL 24 1992

15674Att/bhs